

REMARKS

The Office Action of April 22, 2008 has been received and carefully reviewed. It is submitted that, by this Amendment, all bases of rejection are traversed and overcome. Upon entry of this Amendment, claims 1, 4-6, 8, 10-14, 16-18 and 20 remain in the application. Claims 2, 3, 7, 9, 15 and 19 are cancelled herein. Independent claims 1, 14 and 20, and those claims depending therefrom, have been amended herein. Support for the amendments can be found throughout the specification as filed, at least on page 12, from line 20 to line 24; page 13, from line 7 to line 25; page 14, from line 5 to line 10; page 16, from line 5 to line 10; from page 19 line 30 to page 20 line 7; and from page 21, line 21 to page 23, line 13. Reconsideration of the claims is respectfully requested.

Claim Status: Claim 19 stands rejected under 35 U.S.C. § 101; claims 3-5 stand rejected under 35 U.S.C. § 112, second paragraph; and claims 1-20 stand rejected under §102(a).

Claim 19 stands rejected under 35 U.S.C. § 101. The Examiner alleges that “computer readable modulated carrier wave” and “means embedded in the modulated carrier wave” are not statutory subject matter.

While the Applicants do not acquiesce to the Examiner’s rejection, in order to expedite prosecution Applicants have cancelled claim 19 herein. As such, it is submitted that the 35 U.S.C. § 101 rejection is rendered moot.

Claims 3-5 stand rejected under 35 U.S.C. § 112, second paragraph. With reference to claim 3, the Examiner alleges that the phrase “each client class that associates specific vehicle data with each status” is indefinite. Claim 3 has been cancelled and the subject matter rewritten and incorporated into revised claim 1. With reference to claims 4 and 5, the Examiner alleges that the recitations “data format template is a web component configuration” and “data format template is a voice component configuration” are unclear. Claims 4 and 5 have been amended to change the phrases “web component configuration” and “voice component configuration” to read “configured to be retrievable through a web hosting portal” and “configured to be retrievable through a voice-enabled web hosting portal” respectively. Support for these revisions may be found in the specification as filed, at least at page 16, lines 11-24 and page 17, lines 17-25.

In light of the revisions to claims 3-5, Applicants submit that the rejection of the claims under 35 U.S.C. § 112, second paragraph has been traversed and overcome, and withdrawal of the same is respectfully requested.

Claims 1-20 stand rejected under §102(a) as being anticipated by Treyz et al. (U.S. Patent No. 6,526,335). The Examiner states that Treyz teaches all of the elements of Applicants' independent claims.

Applicants' invention as recited in revised claim 1 relates to a method for managing subscriber vehicle data in a vehicle data management system. The method includes the steps of: defining a status based hierarchy by associating specific vehicle data access privileges with individual client statuses; receiving a client data request from a client; determining a client identity based on the client data request, the client identity including a position of the client in the status based hierarchy and a class of a requesting device of the client; and providing targeted data to the client responsive to the data request. The individual client statuses are selected from the group consisting of subscription service customer, campaign manager, engineer, data analyst, call center advisor, portal administrator, and fleet manager. The client requesting device classes are selected from the group consisting of personal computers, personal digital assistants, cell phones, and vehicle telematics units. The targeted data format is based on the identified client's requesting_device class and position in the status based hierarchy. Independent claims 14 and 20 include similar recitations.

In sharp contrast, Treyz relates to a user of a car computer requesting various kinds of information from various web-based sources of information. Treyz does not teach or suggest a method, medium or system which provides information in a targeted data format based, in part, on whether the user is requesting such information from a telematics unit, a cell phone, a personal digital assistant, or a separate computer. Furthermore, Treyz does not teach or suggest formatting the targeted data according to status (e.g., a subscription service customer, campaign manager, engineer, data analyst, call center advisor, portal administrator, or fleet manager) of the requestor and the data access privileges associated therewith.

The method, medium and system respectively defined in Applicants' independent claims 1, 14 and 20 generate target data based upon a requesting entity's status and corresponding access

privileges, and the requesting device used. Such personalized data are not taught or suggested by Treyz. In sharp contrast, Treyz merely teaches that wireless links may be used in the vehicle to interact with merchants, information providers, etc. Applicants' invention as defined in the pending claims has the versatility and breadth to be able to adapt the data formats to different users based upon statuses and device classes that are neither taught nor suggested by Treyz.

For all the reasons stated above, it is submitted that Applicants' invention as defined in independent claims 1, 14 and 20, and in those claims depending ultimately therefrom, is not anticipated, taught or rendered obvious by the cited reference, and patentably defines over the art of record.

In summary, claims 1, 4-6, 8, 10-14, 16-18 and 20 remain in the application. It is submitted that, through this Amendment, Applicants' invention as set forth in these claims is now in a condition suitable for allowance. Further and favorable consideration is requested. If the Examiner believes it would expedite prosecution of the above-identified application, the Examiner is cordially invited to contact Applicants' Attorney at the below-listed telephone number.

Respectfully submitted,

DIERKER & ASSOCIATES, P.C.

/Julia Church Dierker/

Julia Church Dierker
Attorney for Applicants
Registration No. 33368
(248) 649-9900, ext. 25
juliad@troypatent.com

3331 West Big Beaver Rd., Suite 109
Troy, Michigan 48084-2813
Dated: August 22, 2008
JCD/WBH/JRK/jmo